



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

April 28, 2014

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

SACRAMENTO UPDATE

Executive Summary

This memorandum contains reports on the following:

- **Pursuit of County Position to Support SB 942 (Vidak).** This measure would require the State to reimburse counties for legislative and congressional special elections conducted January 1, 2008 through December 31, 2014. Therefore, unless otherwise directed by the Board, consistent with existing policy to support proposals to provide County reimbursement for the costs incurred in conducting special elections to fill vacancies in State and Federal legislative offices, **the Sacramento advocates will support SB 942.**
- **Status of County-Advocacy Legislation**
 - **County-supported AB 1970 (Gordon)** - related to local assistance grants to develop and implement integrated community-level greenhouse gas emissions reduction projects, passed the Assembly Local Government Committee on April 23, 2014.
 - **County-opposed SB 1328 (Hill)** - related to inspection of point-of-sale pricing systems to ensure they meet accuracy requirements was amended on April 21, 2014 to prohibit a grocery store from being fined for the first item not in compliance during an initial standard inspection provided that

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the store has a policy to refund the amount of the product or to provide the product free of charge, if the amount paid is greater than the price advertised, posted, marked, displayed or quoted. **Therefore, the Sacramento advocates will continue to oppose SB 1328.**

- **County-supported SB 1339 (Cannella)** - related to criminal history information for the owners and key staff of Drug Medi-Cal Program provider organizations, passed the Senate Health Committee on April 24, 2014.
- **Status of Legislation of County Interest AB 1442 (Gatto).** This measure previously related to expanding the California Information Practices Act of 1977 to local governments was amended and now relates to student records and social media.

Pursuit of County Position on Legislation

SB 942 (Vidak), which as introduced on February 4, 2014, would require the State to reimburse counties for legislative and congressional special elections conducted January 1, 2008 through December 31, 2014.

Existing law provides that expenses authorized and necessarily incurred in the preparation for and conduct of special elections are to be paid from the county treasuries, except when called and paid by the governing body of a city.

AB 942 would require the State to reimburse counties for necessary expenses incurred on or after January 1, 2008, and before December 31, 2014 for elections proclaimed by the Governor to fill a vacancy in the offices of State Senate, State Assembly, United States Senate, or United States House of Representatives. The Registrar-Recorder/County Clerk reports that in 2013 alone the County spent an estimated \$12 million to conduct six special vacancy elections. From 2008 through 2011, the County spent \$16 million to conduct 10 special vacancy elections.

This office and the Registrar-Recorder/County Clerk support SB 942. Therefore, unless otherwise directed by the Board, consistent with existing policy to support proposals to provide County reimbursement for the costs incurred in conducting special elections to fill vacancies in State and Federal legislative offices, **the Sacramento advocates will support SB 942.**

This measure is similar to **County-sponsored AB 2273 (Ridley-Thomas)**, which as introduced on February 21, 2014, would require the State, beginning on January 1, 2013, to reimburse counties for conducting legislative and congressional special elections. AB 2273 is currently in the Assembly Appropriations Suspense File.

SB 942 is supported by the California State Association of Counties; County of San Bernardino; County of San Diego; Fresno County Board of Supervisors; Rural County Representatives of California; and Urban Counties Caucus. There is no opposition on file.

This measure is currently in the Senate Appropriations Suspense File.

Status of County Advocacy Legislation

County-supported AB 1970 (Gordon), which as amended on April 10, 2014, would create the Community Investment and Innovation Program to provide local assistance grants and other financial assistance to eligible recipients for the purposes of developing and implementing integrated community-level greenhouse gas emissions reduction projects in their region, passed the Assembly Local Government Committee by a vote of 8 to 0 on April 23, 2014. This measure now proceeds to the Assembly Appropriations Committee.

County-opposed SB 1328 (Hill), which as introduced on February 21, 2014, would: 1) authorize the California Department of Food and Agriculture (CDFA), by regulation, to establish a uniform policy consistent with Federal law relating to the use of dry tare weight or wet tare weight methods of measurement for the retail sale of meat, poultry, and fish products; 2) establish a 98 percent compliance rate for point-of-sale systems, modeled after the accuracy requirements described in the National Institute of Standards and Technology Handbook 130, for grocery stores that have a policy to refund the amount of the product or provide the product free of charge in the event that the amount charged is greater than the amount advertised, posted, marked, displayed, or quoted; and 3) authorize the Secretary of CDFA, by regulation, to impose an additional assessment of up to \$2 for the license of a business that uses a point-of-sale system, to be deposited in the California Department of Food and Agriculture Fund, for purposes of carrying out the provisions regulating the use of point-of-sale systems, was amended on April 21, 2014.

As amended, SB 1328 would no longer establish a compliance rate modeled after accuracy requirements described in the National Institute of Standards and Technology Handbook 130 but would, instead, prohibit a grocery store from being fined or assessed a penalty for the first item not in compliance during an initial standard inspection

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provided that the store has a policy to refund the amount of the product or to provide the product free of charge, if the amount paid is greater than the price advertised, posted, marked, displayed or quoted.

Under existing law, during an initial standard inspection, items computed at higher prices than the lowest advertised, posted, marked, displayed or quoted price shall be considered not in compliance. Existing law also authorizes a county that has adopted an ordinance for purposes of determining the accuracy of a grocery store's point-of-sale system to take an enforcement action for any item not in compliance.

The Agricultural Commissioner/Weights and Measures has reviewed the amendments to SB 1328 and reports that they would exempt the first overcharge by a point-of-sale system from any fines and penalties, regardless of the monetary value or percentage of the overcharge. This would, in effect, lower the 100 percent accuracy requirements of current law and dilute the County's strict application of State law prohibiting overcharges on any commodity in order to dis-incentivize continued neglect or fraudulent practices. **Therefore, the Sacramento advocates will continue to oppose SB 1328.**

County-supported SB 1339 (Cannella), which as introduced on February 21, 2014, would require that prior to contracting with certified Drug Medi-Cal (DMC) provider organizations, counties or the California Department of Health Care Services obtain criminal history information for the owners and key staff of DMC provider organizations, passed the Senate Health Committee by a vote of 9 to 0 on April 24, 2014. This measure now proceeds to the Senate Appropriations Committee.

Status of Legislation of County Interest

AB 1442 (Gatto), which as introduced on January 6, 2014, would have expanded the California Information Practices Act of 1977, which governs how State agencies manage personal information, to include local governments and school districts under its governance was amended on April 7, 2014, and now relates to student records and social media. This measure passed the Assembly Education Committee by a vote of 7 to 0 on April 23, 2014, and now proceeds to the Assembly Floor.

We will continue to keep you advised.

WTF:RA
MR:KA:IGEA:lm

c: All Department Heads
Legislative Strategist
Local 721